

Introduced by Senator WaltersFebruary 16, 2010

An act to amend Section 27362.1 of the Vehicle Code, relating to child passenger restraint systems.

LEGISLATIVE COUNSEL'S DIGEST

SB 1054, as introduced, Walters. Child passenger restraint systems: sale: nonprofit organizations.

Existing law prohibits an individual from selling or offering for sale a child passenger restraint system that was in use by a child during an accident involving a motor vehicle. A violation of that prohibition is an infraction, punishable by a \$100 fine.

This bill would except from this prohibition certain nonprofit organizations if, with respect to a used child passenger restraint system, the nonprofit organization determines, by visual inspection, that the manufacturer's expiration date for the child passenger restraint system has not passed and that the system is in safe, working condition.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 27362.1 of the Vehicle Code is amended
- 2 to read:
- 3 27362.1. (a) ~~No~~ An individual ~~may~~ *shall not* sell or offer for
- 4 sale a child passenger restraint system that was in use by a child
- 5 during an accident involving a motor vehicle.
- 6 (b) A violation of ~~this section~~ *subdivision (a)* shall be punished
- 7 by a fine of one hundred dollars (\$100).

- 1 (c) *The prohibition in subdivision (a) shall not apply to a*
2 *nonprofit organization with tax-exempt status under Section*
3 *501(c)(3) of Title 26 of the United States Code if it makes both of*
4 *the following determinations, with respect to a used child passenger*
5 *restraint system that is donated to the organization:*
6 (1) *Upon visual inspection, determines that the manufacturer's*
7 *expiration date for the child passenger restraint system has not*
8 *passed.*
9 (2) *Upon visual inspection, determines that the child passenger*
10 *restraint system is in safe, working condition.*